



Docket No.: 044084-0496

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Kyoko NAKAMURA	:	Confirmation Number: 5551
Application No.: 09/879,909	:	Group Art Unit: 2612
Filed: June 14, 2001	:	Examiner: Luong Trung Nguyen
For: IMAGE EXTRACTING APPARATUS AND IMAGE EXTRACTING METHOD	:	

DECLARATION UNDER 37 CFR §1.131

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Kyoko NAKAMURA, hereby declares that:

1. I am the inventor of the invention disclosed and claimed in the above-referenced United States patent application (U.S. Application No. 09/879/909).

2. I am aware that U.S. Application No. 09/879/909 was filed in the U.S. Patent and Trademark Office on June 14, 2001, and that a claim of Priority of Application 2000-178230, filed on June 14, 2000, in Japan, was made under 35 USC § 119 in U.S. Application No. 09/879/909.

3. The subject matter of this application is included in Application 2000-178230, filed in Japan on June 14, 2000.

4. To my knowledge, and in view of the factual evidence supplied herewith, the present invention was conceived in Japan prior to May 26, 2000, the filing date of U.S. Patent No. 6,671,391, Zhang et al. This fact is evidenced by:

(a) A copy of an Internal Assignment, dated March 15, 2000, from Kyoko NAKAMURA (the inventor) to Minolta Camera Co., Ltd (an English translation is attached), which was prepared as to Japanese Application 2000-178230;

(b) A copy of Description of Invention and Device (pages 1-9) that was attached to the Internal Assignment, and which was recorded by Kyoko NAKAMURA on March 15, 2000 and Witnessed by Tokio Uemura on March 16, 2000 (an English translation is attached);

(c) Copies of two Supplemental sheets that were prepared by the Intellectual Property staff of Minolta Camera Co., Ltd, and exhibiting seals having the date of March 22, 2000 (an English translation is attached); and

(d) A copy of an English translation of Japanese Application 2000-178230, filed in Japan on June 14, 2000.

5. I exercised due diligence from March 15, 2000 to June 14, 2000, the date which Application 2000-178230 was filed in Japan.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issuing thereon.

December 7, 2005
Date

Kyoko Nakamura
Kyoko NAKAMURA